

COUNTY COMMISSION-CALLED SESSION

MAY 15, 2020

BE IT REMEMBERED THAT:

COUNTY COMMISSION MET PURSUANT TO ADJOURNMENT IN CALLED SESSION OF THE SULLIVAN COUNTY BOARD OF COMMISSIONERS THIS FRIDAY MORNING, MAY 15, 2020, 9:00 A.M. IN BLOUNTVILLE, TENNESSEE. PRESENT AND PRESIDING WAS HONORABLE RICHARD VENABLE, COUNTY CHAIRMAN, TERESA JACOBS, COUNTY CLERK OF SAID BOARD OF COMMISSIONERS,

TO WIT:

The Commission was called to order by SCSO Officer Tony Leonard. County Chairman Richard Venable opened the commission and Comm. Larry Crawford gave the invocation. The pledge to the flag was led by Officer Tony Leonard.

COMMISSIONERS PRESENT AND ANSWERING ROLL WERE AS FOLLOWS:

|                       |                      |
|-----------------------|----------------------|
| DAVID AKARD, III      | JOE HERRON           |
| JUDY BLAYLOCK         | MARK A. HUTTON       |
| TODD BROUGHTON        | SAMUEL "SAM" JONES   |
| DARLENE CALTON        |                      |
|                       | TONY LEONARD         |
| LARRY CRAWFORD        | HUNTER MICHAEL LOCKE |
| ANDREW K. CROSS       | RANDY C. MORRELL     |
| JOYCE NEAL CROSSWHITE | ANGIE STANLEY        |
| JOHN GARDNER          | ALICIA D. STARNES    |
| COLETTE GEORGE        | GARY STIDHAM         |
| HERSHEL GLOVER        | MARK A. VANCE        |
| TERRY HARKLEROAD      |                      |
|                       |                      |
|                       |                      |
|                       |                      |
|                       |                      |

21 PRESENT 3 ABSENT (ABSENT-COLE, KING, WOODS)

NOTE: CALTON, STANLEY, CROSS, CROSSWHITE, STARNES, AKARD, GEORGE, HARKLEROAD AND LOCKE ATTENDED ELECTRONICALLY.

The following pages indicate the action taken by the Commission on filing of Resolution #2020-0-32 to authorize a voter referendum to equalize the sales and use tax in Sullivan County.

***Sullivan County***  
***Board of County Commissioners***  
***240<sup>th</sup> Annual Session***

**Friday, May 15, 2020**

**9:00 a.m.**

**Meeting held in the Commission Room, Sullivan County Courthouse  
& Electronically**

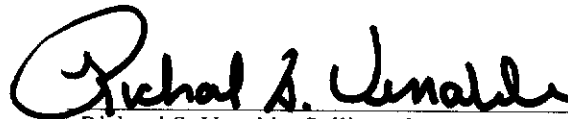
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WHEREAS, due to the COVID-19 pandemic across the United States and the Executive Orders of President Donald Trump and Governor Bill Lee limiting the gathering of groups and encouraging social distancing, the Sullivan County Commission did not convene for two months; and

WHEREAS, at this time President Trump has initiated a plan allowing for lessor restrictions on individuals and business, and under the guidance of Governor Lee's Executive Orders 34, Mayor of Sullivan County, Richard S. Venable finds it necessary to call the county legislative body of Sullivan County to order to conduct business for several time sensitive matters requiring the approval of the governing body; and

WHEREAS, in compliance with the Governor's Orders, this meeting is available to the public for viewing and/or joining the meeting at [www.sullivancountytn.gov](http://www.sullivancountytn.gov) via *GoToMeeting* or *YouTube*—Sullivan County TN Commissioners; and a copy of the agenda is available online to the public on the County's website or outside the Commission Room, Sullivan County Courthouse. Public comment is also made available to members of the public during this meeting.

NOW THEREFORE, a meeting of the Sullivan County Commission has been called on this 15<sup>th</sup> day of May, 2020 at 9:00 a.m. to be conducted via traditional and electronic means to commence the business of the Sullivan County.



Richard S. Venable, Sullivan County Mayor  
Chairman, Sullivan County Commission

Roll Call - Called Session May 15, 2020

|            |         | Present | Absent |
|------------|---------|---------|--------|
| Akard, III | David   | 1       |        |
| Blalock    | Judy    | 1       |        |
| Broughton  | Todd    | 1       |        |
| Calton     | Darlene | 1       |        |
| Cole       | Michael |         | 1      |
| Crawford   | Larry   | 1       |        |
| Cross      | Andrew  | 1       |        |
| Crosswhite | Joyce   | 1       |        |
| Gardner    | John    | 1       |        |
| George     | Colette | 1       |        |
| Glover     | Hershel | 1       |        |
| Harkleroad | Terry   | 1       |        |
| Herron     | Joe     | 1       |        |
| Hutton     | Mark    | 1       |        |
| Jones      | Sam     | 1       |        |
| King       | Dwight  |         | 1      |
| Leonard    | Tony    | 1       |        |
| Locke      | Hunter  | 1       |        |
| Morrell    | Randy   | 1       |        |
| Stanley    | Angie   | 1       |        |
| Starnes    | Alicia  | 1       |        |
| Stidham    | Gary    | 1       |        |
| Vance      | Mark    | 1       |        |
| Woods      | Doug    |         | 1      |

**VOTES**      **21**      **3**  
**Present    Absent**

Commissioners Calton, Stanley, Cross, Crosswhite, Starnes, Akard, George, Harkleroad and Locke attended electronically.

**RESOLUTIONS ON DOCKET FOR MAY 15, 2020**

**RESOLUTIONS**

|     |   |                                    |
|-----|---|------------------------------------|
| #1  | RESOLUTION TO AUTHORIZE A VOTER REFERENDUM TO EQUALIZE THE SALES AND USE TAX IN SULLIVAN COUNTY | 1 <sup>ST</sup> READING<br>5/15/20 |
| #2  |   |                                    |
| #3  |   |                                    |
| #4  |   |                                    |
| #5  |   |                                    |
| #6  |   |                                    |
| #7  |   |                                    |
| #8  |   |                                    |
| #9  |   |                                    |
| #10 |   |                                    |
| #11 |   |                                    |
| #12 |   |                                    |
| #13 |   |                                    |
| #14 |   |                                    |

***Sullivan County***  
***Board of County Commissioners***  
***240<sup>th</sup> Annual Session***

**Friday, May 15, 2020**

**9:00 A.M.**

**Meeting held in the Commission Room, Sullivan County Courthouse  
& Electronically**

***Agenda for Commission Meeting in Called Session***

- Commission Called to Order by SCSO Officer
- Chairman Richard S. Venable Presiding
- Invocation
- Pledge to the American Flag
- Roll Call by Teresa Jacobs, County Clerk
- Subject for Discussion:

Item No. 1      Resolution No. 2020-05-32

RESOLUTION TO AUTHORIZE A VOTER REFERENDUM TO EQUALIZE THE  
SALES AND USE TAX IN SULLIVAN COUNTY

Sponsors: Jones/ George

- Adjourn

**Sullivan County**  
**Board of County Commissioners**  
**240<sup>th</sup> Annual Session**

Item 1  
No. 2020-05-32

To the Honorable Richard S. Venable, Sullivan County Mayor and the Board of Sullivan County Commissioners meeting in Regular Session this 15<sup>th</sup> day of May 2020.

**RESOLUTION TO AUTHORIZE A VOTER REFERENDUM TO EQUALIZE THE SALES AND USE TAX IN SULLIVAN COUNTY**

**WHEREAS**, pursuant to Resolutions previously adopted by the Quarterly Court of Sullivan County, Tennessee, on February 14, 1966 of record in Minute Book 2, Pages 179-80, and as amended by such Court on September 1, 1972 of record in Minute Book 4, page 86, Sullivan County imposed a local sales and use tax as authorized under the provisions of the 1963 Local Option Revenue Act as amended, *Tennessee Code Annotated, Sections 67-6-701 through 67-6-716*; and

**WHEREAS**, it is the desire of Sullivan County to amend said previously enacted Resolution(s) to increase said local sales and use tax to the rate of Two and Three Fourths percent (2.75%), not to exceed the maximum percentage as stated in the 1963 Local Option Revenue Act, *Tennessee Code Annotated, Section 67-6-702*, as amended, limited or modified by statute; and,

**WHEREAS**, pursuant to *Tennessee Code Annotated, Section 67-6-706*, upon passage of this Resolution the Clerk shall send a certified copy of this Resolution to the County Election Commission who shall hold an election by the voters of Sullivan County, including or excluding voters inside the cities as appropriate under *Tennessee Code Annotated, Section 67-6-706*, on the question of voting for or against this tax increase; and

**WHEREAS**, pursuant to *Tennessee Code Annotated, Section 67-6-702*, this Resolution shall be passed at least twice at two (2) or more consecutive public meetings by the Sullivan County Commission, not more than one (1) of which may be held on any single day; and

**WHEREAS**, pursuant to *Tennessee Code Annotated, Section 67-6-702*, notice of said public meetings and of the fact that this matter is on the agenda of said meetings shall be published at least once in a newspaper of general circulation throughout Sullivan County not less than seven (7) days before the first of said meetings.

**NOW THEREFORE BE IT RESOLVED** that the Board of County Commissioners of Sullivan County, Tennessee assembled in Regular Session hereby amends Resolutions previously adopted by the Quarterly Court of Sullivan County, Tennessee, on February 14, 1966 of record in Minute Book 2, Pages 179-80, and as amended by such Court on September 1, 1972 of record in Minute Book 4, page 86, of the county legislative body of Sullivan County, Tennessee imposing local sales and use tax as authorized under the provisions of *Tennessee Code Annotated, Sections 67-6-701 through 67-6-716*, to hereby levy a local sales and use tax at a rate of Two and Three Fourths percent (2.75%), not to exceed the maximum percentage as stated in the 1963 Local Option Revenue Act, *Tennessee Code Annotated, Section 67-6-702*, as amended, limited or modified by statute; and,

No. 2020-05-32

***BE IT FURTHER RESOLVED*** that pursuant to *Tennessee Code Annotated, Section 67-6-706*, upon passage of this Resolution the Clerk shall send a certified copy of this Resolution to the County Election Commission who shall hold an election by the voters of Sullivan County, including or excluding voters inside the cities as appropriate under *Tennessee Code Annotated, Section 67-6-706*, on the question of voting for or against this tax increase; and

***BE IT FURTHER RESOLVED*** that if a majority of those voting in the election required by *Tennessee Code Annotated, Section 67-6-706* vote for the increase in the tax imposed by this Resolution, said increase and the collection of said increased tax levied by this Resolution shall occur and become effective only on the first day of a calendar quarter and no sooner than sixty-one (61) days after the Commissioner of Revenue has issued general notification of the new tax or change in the rate to dealers affected; and

***BE IT FURTHER RESOLVED*** that the Department of Revenue of the State of Tennessee shall collect the additional tax imposed by this Resolution concurrent with the collection of the state tax and the local tax now being collected for Sullivan County, in accordance with rules and regulations promulgated by the Department; and

***BE IT FURTHER RESOLVED*** that the County Mayor is hereby authorized to contract with the Department of Revenue for the collection of the additional tax imposed by this Resolution, and to provide in the contract that the department may deduct from the tax collected a reasonable amount or percentage to cover the expense of the administration and collection of the tax; and

***BE IT FURTHER RESOLVED*** that in the event the tax is collected by the Department of Revenue, suits for the recovery of any tax illegally assessed or collected shall be brought against the state Commissioner of Revenue and the County Mayor.

All resolutions in conflict herewith be and the same rescinded insofar as such conflict exists.

Duly passed and approved this \_\_\_\_\_ day of \_\_\_\_\_, 2020.

Attest: \_\_\_\_\_  
Teresa Jacobs, County Clerk

Approve: \_\_\_\_\_  
Richard S. Venable, County Mayor

**Sponsor: Commissioner Sam Jones**

**Co-Sponsor: Commissioner Colette George, Doug Woods**

2020-05-32 COMMISSION ACTION: 05/15/20 – 1<sup>st</sup> Reading

AND THEREUPON COUNTY COMMISSION ADJOURNED AT 10:20 A.M. UPON  
MOTION MADE BY COMM. SAM JONES TO MEET AGAIN IN REGULAR  
SESSION ON MAY 21, 2020.

  
RICHARD VENABLE

COMMISSION CHAIRMAN